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INS defends its handling of Chinese defector case

By Ted Agres
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The U.S. Immigration and Naturalization Service acted properly in its handling of a political asylum case in which a defector was later found dead in New York City, a spokesman said late last week.

Zhang Xin, a native of the People's Republic of China, was found dead atop that country's consulate building in Manhattan last December just two days after filing a formal request for political asylum with the INS.

He was found hanging by an improvised noose made of electrical cable and a necktie.

The Washington Times reported last week that an autopsy revealed Mr. Zhang also had suffered a concussion and cocaine and marijuana were found in his body. The cause of death was officially listed as a suicide.

The Times' story stated that INS apparently made little or no effort to determine what happened to Mr. Zhang after he dropped from sight following his request for asylum. He was found dead the next day.

"We're not an investigative agency," INS spokesman Duke Austin said. He explained that the agency has guidelines on offering defecting aliens assistance, such as shelter and food.

"But it is totally up to the alien," Mr. Austin said. "They [the INS] cannot make the person stay or put them into protective custody on their own."

Last year, 16 political asylum requests from China were granted and 192 were denied, fewer than one out of 10. At year's end, 94 applications were pending.

Some critics of the administration's handling of such cases have complained that the INS drags its heels in processing cases that should be acted upon.

According to the rules for granting political asylum, applicants need to demonstrate a "well-founded fear of persecution in their homeland that is based on race, religion, nationality, membership in a specific social group or political opinion," Mr. Austin said.

"The applicant is never deported as long as his or her application is pending. There are four levels of appeal if INS turns down the request. They can stay in the United States all during that appeal process," he added.

Critics have stated that the State Department, which has an advisory role in determining merit in asylum cases, is reluctant to approve cases from China for fear of jeopardizing U.S.-China relations.

A State Department official familiar with Chinese asylum cases denied this. "These cases are processed despite the political ramifications," the official said.

"Political implications should have no bearing at all," he added. "The system is there. You just can't abort the system because you don't like it politically."

In 1983, Chinese tennis star Hu Na defected to the United States and sporting exchange programs with Washington. In April 1984, a Chinese engineer visiting the United States attempted to escape the Chinese Consulate by lowering himself from a 10th-floor window with a fire hose. The hose broke and the engineer, Zhang Zhenggao, fell to the ground, breaking his ankle.

After recovering, the engineer was returned to China.

Ray Cline of Georgetown University, an authority on East Asia and former deputy director of the CIA, criticized the administration's procedures and policies regarding such attempted defections.

"They are very hard to implement in a way helpful to our interests and fair to the people who risk their lives to escape repressive regimes to the United States," he said.

"There is no clear set of standards. What is clear is that we don't want to be embarrassed by cases from Peking," he said.

Sometimes, however, adverse publicity gives the impression of speeding the process along. Just weeks after Mr. Zhang was found dead in New York, another Chinese defector, an economics researcher, filed a request for asylum.

The INS processed and approved his application in just three weeks.